

Attorney's Docket No. 042390.P3373

Patent

In Re the Application of: James E. Akiyama

(inventor(s))

Application No.: 09/ 164,898

Filed: October 1, 1998

For: Virtualized Stripping Controller

(title)

Group Art Unit: 2186

Examiner: Vital, P.

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TC 2100 MAILROOM

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES**

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated November 16, 2000 of the Examiner rejecting claims 1-3, and 7-15.

The item(s) checked below are appropriate:

☒ The following is the Notice of Appeal fee under 37 C.F.R. § 1.17(e):

☒ a. other than small entity: fee \$ 310.00

☐ b. small entity: fee \$ 150.00

☐ verified statement attached

☐ verified statement was filed \_\_\_\_\_

☐ A petition under 37 C.F.R. § 1.136(a) for an extension of time for reply to the rejection is enclosed along with a check for the fee for the extension of time.

☒ Enclosed is a check in the amount of \$ 310.00 for the Notice of Appeal fee.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on December 22, 2000  
Date of Deposit

Debbie Peloquin

Name of Person Mailing Correspondence

Debbie Peloquin  
Signature

December 22, 2000  
Date

Docket No.: 042390.P3373  
Application No.: 09/164,898

- 1 -


\_\_\_\_\_ Please charge the Notice of Appeal fee to Deposit Account Number 02-2666. A duplicate of this sheet is enclosed for Deposit Account charging purposes.

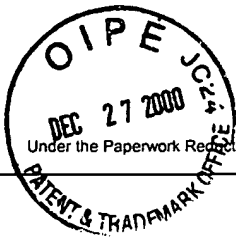
XXX If any additional fee is required, please charge Deposit Account No. 02-2666.  
A duplicate of this sheet is enclosed for Deposit Account charging purposes.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: December 22, 2000

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
(303) 740-1980

  
\_\_\_\_\_  
Mark J. Fink  
Reg. No. 45,270

**FEE TRANSMITTAL FOR FY 2001**TOTAL AMOUNT OF PAYMENT (\$) 310.00

## Complete if Known:

Application No. 09/164,898  
Filing Date October 1, 1998  
First Named Inventor James E. Akiyama  
Group Art Unit 2186  
Examiner Name Vital, P.  
Attorney Docket No. 42390P3373

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666  
Deposit Account Name \_\_\_\_\_

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Credit Card  
Money Order  
Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
101	710	201	355	Utility application filing fee	_____
106	320	206	160	Design application filing fee	_____
107	490	207	245	Plant filing fee	_____
108	710	208	355	Reissue filing fee	_____
114	150	214	75	Provisional application filing fee	_____
SUBTOTAL (1) \$					_____

**2. EXTRA CLAIM FEES**

		Extra Claims	Fee from below	Fee Paid
Total Claims	_____	- 20** = _____	X _____	= _____
Independent Claims	_____	- 3** = _____	X _____	= _____
Multiple Dependent	_____		_____	= _____

\*\*Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	0.00
102	80	202	40	Independent claims in excess of 3	0.00
104	270	204	135	Multiple dependent claim, if not paid	0.00
109	80	209	40	**Reissue independent claims over original patent	0.00
110	18	210	9	**Reissue claims in excess of 20 and over original patent	0.00
SUBTOTAL (2) \$					_____

**FEE CALCULATION (continued)**

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	310.00
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					
Other fee (specify) _____					

**SUBTOTAL (3) \$ 310.00**

\*Reduced by Basic Filing Fee Paid

#### SUBMITTED BY:

Typed or Printed Name: Mark J. Fink

Signature: 

Date: December 22, 2000

Reg. Number: 45,270

Telephone Number: 303-740-1980

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. (37 C.F.R. § 1.8 (a))

I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office with sufficient postage in a sealed envelope addressed to the Commissioner for Patents.

on December 22, 2000

Denbie Peloquin

Denbie Peloquin  
Signature

12-2200

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